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PATENT  
CASE NO. 10022/24

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application: )  
)  
Perry et al. )  
) Group Art Unit: 3623  
)  
Serial No.: 09/746,611 )  
) Examiner: C. Michelle Tarae  
Filed: December 21, 2000 )  
)  
For: COMPUTERIZED METHOD )  
FOR EVALUATING AND )  
SHAPING A BUSINESS )  
PROPOSAL )

**APPEAL BRIEF**

Mail Stop Appeal Brief-Patents  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This Appeal is in response to the Final Office Action mailed November 24, 2006 and the Notice of Panel Decision from Pre-Appeal Brief Review mailed on February 23, 2007. The Notice of Appeal was received on January 25, 2007. This Appeal is being filed with a request for a one-month extension of time and accompanying fee.

**I. REAL PARTY IN INTEREST**

It is believed that Accenture LLP is the real party of interest in this Appeal pursuant to the following: 1) recorded assignments of the above-identified application

05/15/07

Dependent claims 3, 4, 7, 8, 12-17, 22-26, 28-35, and 37-58 each depend on one of the independent claims and are therefore also believed to be allowable.

Respectfully submitted,



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John R. Lagowski  
Registration No. 41,922  
Attorney for Appellants

BRINKS HOFER  
GILSON & LIONE  
P.O. Box 10395  
Chicago, Illinois 60610  
(312) 321-4200

Dated: April 25, 2007

## **VIII. CLAIMS APPENDIX**

1. A method of preparing and evaluating a business proposal, comprising the steps of:

displaying a plurality of questions relating to the proposal, including proposal components, proposal characteristics, risks, revenue drivers, investment bases, and a business environment;

allowing access to a database of client information and a database of proposer information;

receiving answers to the plurality of questions based on information accessed in the databases;

defining a query for search criteria for the proposal;

performing a search based on the query and answers to the questions;

storing information relevant to the proposal gathered in the search;

selecting at least two alternative structures between a purchaser and a provider selected from the group consisting of an alliance, an acquisition, an equity venture, a partnership, and a venture;

evaluating the stored information by computer;

ranking the at least two alternative structures based on the evaluation of the stored information;

outputting a report displaying the rankings and responses to at least one of the questions;

reevaluating information sources and a business environment relative to the proposal;

reevaluating organizational and proposal considerations, and risks relative to the proposal;

reconsidering at least one of the alternative structures and optionally reshaping at least one of the alternative structures; and

reevaluating and re-ranking the at least two alternative structures.

3. The method of Claim 1, wherein the step of displaying a plurality of questions comprises displaying predetermined questions on at least one template stored in a computer and wherein the step of receiving the answers to at least one predetermined question calls up for display at least one more template of predetermined questions, and the computer uses answers to said questions to evaluate the proposal.

4. The method of Claim 1, wherein the proposals are evaluated by calculating at least one of a revenue stream, a return on average assets, a return on investment, a return on equity, an internal rate of return, and a net present value.

7. The method of Claim 1, further comprising displaying the rankings with a graphical user interface.

8. The method of Claim 7, wherein the rankings are presented in a Harvey-ball format.

12. The method of Claim 1, wherein the answers are input to the computer through a graphical user interface by choosing selections from at least one of a drop-down screen, a scroll screen, a check box, and a list box.

13. The method of Claim 12, wherein the graphical user interface uses a technique selected from the group consisting of a drop-down selector screen, a scroll screen, and a check box.

14. The method of Claim 1, wherein the proposal comprises an offer of a service from the provider, and further comprising the step of calculating a way to pay for the proposal.

15. The method of Claim 1, wherein the structures are ranked by displaying a numerical output.

16. The method of Claim 1, wherein the answers are provided through a graphical user interface, and the input is in a form of brief numerical or pseudo-numerical inputs.

17. The method of Claim 1, wherein an output is provided through a graphical user interface, and the output is in a form of brief numerical or pseudo-numerical outputs.

18. A method of preparing and evaluating a business proposal, comprising:  
displaying a plurality of questions relating to the proposal, including proposal components, proposal characteristics, risks, revenue drivers, investment bases, and a business environment;

allowing access to a database of client information and a database of proposal information;

receiving answers to the plurality of questions based on information accessed in the databases;

defining a query for search criteria for the proposal;

performing a search based on the query and answers to the questions;

searching at least one database for information concerning a business partner, the proposal and the business environment, wherein the information includes cost drivers, the revenue drivers, markets served, risks of the proposal, and customers served;

providing financial data concerning the proposal to a computer, wherein the financial data includes revenue elements of the proposal, a cost of the proposal, and an innovation value of the proposal;

proposing at least two alternative structures between a provider and a purchaser for the business proposal, using said financial data and the answers, a result of the search, and information from the databases, wherein the structures are selected from the group consisting of an alliance, an acquisition, an equity venture, a partnership, and a venture;

calculating an advantage of the structures based on the answers, the result of the search, the information from the databases and the provided financial data, wherein the advantage is calculated based on the cost, a rate of return, an assessment of potential future benefits, and a revenue stream;

reshaping at least one of the two alternative structures based on the calculated advantage; and

recalculating the advantage of the structures based on the reshaping.

22. The method of Claim 18, further comprising a step of entering information concerning strength of a business relationship by entering a number from 1 to 5, and wherein the step of calculating the advantage of the structures is based on the entered information concerning the strength of a business relationship.

23. The method of Claim 18, wherein the plurality of questions is entered through at least one template stored in the computer.

24. The method of Claim 23, wherein the plurality of questions entered through at least one template calls up at least one template of predetermined questions, and the computer uses answers to said questions to evaluate the proposal.

25. The method of Claim 18, wherein the advantage is calculated as at least one of a revenue stream, a return on average assets, a return on investment, a return on equity, an internal rate of return, and a net present value.

26. The method of Claim 18, wherein the advantage is calculated as at least one revenue stream and includes at least one example of how to pay for the proposal.

28. The method of Claim 18, wherein the advantage is recalculated by a step of entering updated data into the computer.

29. The method of Claim 18, wherein the step of searching comprises a search of at least one Internet site, and further comprising the steps of updating the search periodically, and updating the computer calculation of an advantage periodically.

30. The method of Claim 18, wherein the answers are provided through a graphical user interface.

31. The method of Claim 18, further comprising a step of providing an output through a graphical user interface.

32. A computer system for evaluating a proposal, comprising:  
a computer processor;  
at least one memory operably connected to said computer, said memory containing data relevant to the proposal, wherein the data comprises revenue elements of the proposal, risks, descriptive information, business issues, business goals, a value of the proposal, a cost of the proposal, methods of achievement of the proposal, and an innovation value of the proposal; and  
a computer program residing in said computer or in said memory, wherein the proposal includes a plurality of alternative structures between a purchaser and a provider selected from the group consisting of an alliance, an acquisition, an equity venture, a partnership, and a venture, and the computer program is configured for:  
displaying a plurality of questions relating to the proposal, including proposal components, proposal characteristics, risks, revenue drivers, investment bases, and a business environment;  
allowing access to a database of client information and a database of proposer information;  
receiving answers to the plurality of questions based on information accessed in the database;  
calculating and generating an output for evaluating the plurality of structures based on the cost, a rate of return, an assessment of potential future benefits, and a revenue stream, and also for accepting changes to at least one of the plurality of

alternative structures and recalculating and regenerating an amended output evaluating the plurality of alternative structures including the at least one changed structure.

33. The computer system of Claim 32, wherein the computer program is configured for generating a graphical user interface for at least one of inputting or outputting information.

34. The computer system of Claim 32 wherein the computer program output is a series of numerical ratings from 1 to 5.

35. The computer system of Claim 32 wherein the computer program further comprises at least one template of predetermined questions for displaying the plurality of questions, and the computer program uses the answers to said questions to evaluate the proposal.

36. The computer system of Claim 35 wherein the answers to at least one predetermined question call up at least one more template of predetermined questions, and the computer program is configured to evaluate the proposal based on the answers to said questions.

37. The computer system of Claim 32 wherein the output is a series of Harvey balls.

38. The computer system of Claim 32, wherein the computer program uses a technique of control-action-response in seeking and inputting information from a user of the computer system.

39. The method of Claim 1, wherein the alternative structures between the purchaser and the provider differ in an amount of equity owned by the purchaser and the provider.



40. The method of Claim 1, wherein an advantage of at least one of the structures is creation of an asset.

41. The method of Claim 1, wherein the provider furnishes information to the purchaser demonstrating a difference in value to the purchaser based on the alternative structures.

42. The method of Claim 1 wherein at least one of cost drivers and revenue drivers is used to evaluate and rank the structures.

43. The method of Claim 1, wherein evaluations of the at least two alternative structures are calculated as revenue streams to the purchaser.

44. The method of Claim 1, wherein evaluations of the at least two structures are calculated as at least one of a revenue stream, a return on average assets, a return on investment, a return on equity, an internal rate of return, and a net present value.

45. The method of Claim 18, wherein the provider is a service provider and the advantages of the structures are calculated as a revenue stream to the purchaser.

46. The method of Claim 18, wherein the alternative structures differ in an amount of equity owned by the purchaser and the provider.

47. The method of Claim 18, wherein an advantage of at least one of the structures is creation of an asset.

48. The method of Claim 18, wherein at least one of cost drivers and revenue drivers is used to calculate the advantages for the structures.

49. The method of Claim 1, wherein after the step of evaluating the stored information, a comparison is made with other search reports or results.

50. The method of Claim 1, wherein after the step of evaluating the stored information, additional deal considerations are considered.

51. The method of Claim 1, wherein after the step of evaluating the stored information, a user seeks additional information about risks or mitigates the risks.

52. The method of Claim 1, further comprising seeking additional information about a business environment after the step of evaluating the stored information.

53. The method of Claim 1, further comprising reshaping at least one of the alternative structures based on revenue streams.

54. The method of Claim 1, further comprising periodically updating information and reevaluating the at least two alternative structures.

55. The method of Claim 18, wherein after the step of recalculating, additional deal considerations are considered.

56. The method of Claim 18, wherein after the step of recalculating, a user seeks additional information about risks or mitigates the risks.

57. The computer system of Claim 32, wherein the computer program is configured for periodically updating and storing business environmental information.

58. The computer system of Claim 32, wherein the computer program is configured for searching internal and external databases.

**IX. EVIDENCE APPENDIX**

None.

**X. RELATED PROCEEDINGS APPENDIX**

None.